## NO. SCWC-30518

## IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Respondent/Plaintiff-Appellee,

VS.

KEVIN C. METCALFE, Petitioner/Defendant-Appellant.

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS (ICA NO. 30518; CR. NO. 09-1-0215)

ORDER ACCEPTING APPLICATION FOR WRIT OF CERTIORARI
(By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and Circuit Judge Sakamoto, assigned by reason of vacancy)

Petitioner/Defendant-Appellant Kevin C. Metcalfe's application for writ of certiorari filed on June 23, 2012, is hereby accepted and will be scheduled for oral argument. The parties will be notified by the appellate clerk regarding scheduling.

DATED: Honolulu, Hawai'i, August 8, 2012.

Summer M.M. Kupau for petitioner

Ricky R. Damerville for respondent

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Karl K. Sakamoto

